



01/17/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-67640-2/RFT/DCF

Anticipated Classification of
this Application:

Class: Subclass:

Prior Application:

Examiner M. DiBrino

Art Unit: 1644

"EXPRESS MAIL" MAILING LABEL NUMBER EV 031971133 US

DATE OF DEPOSIT January 17, 2002

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE
UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE"
SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED
TO: ASSISTANT COMMISSIONER FOR PATENTS, BOX PATENT APPLICATION,
WASHINGTON, D.C. 20231.

TYPED NAME Darryl Krino

SIGNED

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

Sir,

This is a request for filing an

- ☐ Original
☒ Continuation
☐ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Kyung Jin KIM, Anan CHUNTHARAPAI, and Ji LU for MONOCLONAL ANTIBODIES TO IFNAR2. This X continuation divisional continuation-in-part claims priority to pending Application Serial No. 09/166,298, filed on October 5, 1998, which claims the benefit of Application Serial No. 60/061,185, abandoned, filed on October 6, 1997.

1. (a) Enclosed is a new application.
- (b) Enclosed is a continuation-in-part application.
- (c) Enclosed is a copy of the prior application.
- (d) X Enclosed is a copy of the prior specification, abstract, and figures and new claims. These new claims do not contain any subject matter that would have been new matter in the prior application.

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2. (a) ☐ Enclosed is a new Declaration.
 (b) ☒ Enclosed is a copy of the prior executed Combined Declaration and Power of Attorney as originally filed.
 (c) ☐ Enclosed is a Combined Declaration/Power of Attorney.
3. (a) ☐ Enclosed is a Small Entity Affidavit.
 (b) ☐ A Small Entity Affidavit is of record in the prior application.

4. ☒ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col.2)	<u>SMALL ENTITY</u>			<u>OTHER THAN A SMALL ENTITY</u>	
For:	<u>No. Filed</u>	<u>No. Extra</u>	<u>Rate</u>	<u>Fee</u>	<u>Or</u>	<u>Rate</u>	<u>Fee</u>
Basic Fee				\$370.00			\$740.00
Total Claims	<u>22</u> - 20 =	<u>2</u>	<u> </u> x 9 =	\$ <u> </u>	OR	<u>2</u> x \$18 =	\$ <u>36.00</u>
Indep Claims	<u>1</u> - 3 =	<u>0</u>	<u> </u> x 40 =	\$ <u> </u>	OR	<u> </u> x \$80 =	\$ <u> </u>
[X] Multiple Dependent Claims			+ \$140 =	\$ <u> </u>	OR	+ \$280 =	\$ <u>280.00</u>
Total				\$ <u> </u>			\$ <u>1,056.00</u>

*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

5. ☒ Our check for the filing fee is enclosed.
6. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-67640-2/RFT/DCF).
7. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. X Amend the specification by inserting before the first line the sentence the following sentence:

This is a continuation of Application Serial No. 09/166,298, filed October 5, 1998, which claims the benefit of Application Serial No. 60/061,185, filed October 6, 1997, abandoned, both of which are incorporated herein by reference.

9. (a) X Informal drawings are enclosed, 10 sheets.

- (b) Formal drawings are enclosed, sheets.

10. (a) Priority of application Serial No. filed on in is claimed under 35 U.S.C. 119.

- (b) The certified copy has been filed in prior application Serial No. filed on .

11. An Assignment is enclosed.

12. X The prior application is assigned of record to Genentech, Inc.

13. A Power of Attorney by Assignee is enclosed.

14. The Power of Attorney in the prior application is to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

- (a) X The power appears in the original papers in the prior application.

- (b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

- (c) X Address all future communications to:

Richard F. Trecartin, Esq.
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

15. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
16. ☒ A Request to Use Computer Readable Form of Sequence Listing from Another Application is enclosed. A copy of the Sequence Listing from the prior application is enclosed.
17. ☐ A Sequence Listing and diskette are enclosed.
18. ☒ A copy of a Petition for Extension of Time pertaining to the prior application, Serial No. 09/166,298, is enclosed to establish the continued pending status of that application.
19. ☐ I hereby verify that the attached papers are a true duplicate of prior Application Serial No. _____ as originally filed on _____.

Date:

January 17, 2002

David C. Foster

David C. Foster, Reg. No. 44,685
Patent Agent for Richard F. Trecartin, Reg. No. 31,801

☒ Attorney or agent of record
☐ Filed under Section 1.34(a)

Address of Signer:

Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: 415-781-1989

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